

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION)	MDL 2804
OPIATE LITIGATION)	
)	Case No. 1:17-md-2804
<i>This document relates to:</i>)	
)	Hon. Dan Aaron Polster
<i>All cases identified in Exhibit A</i>)	
)	
)	
)	

**MOTION FOR LEAVE TO FILE ALLERGAN DEFENDANTS' MOTION TO DISMISS
CLAIMS FILED BY NON-PARTICIPATING NEW YORK SUBDIVISIONS AS
BARRED BY STATUTE**

In compliance with Case Management Order One (Dkt. No. 232), Allergan Finance, LLC (f/k/a Actavis, Inc., which in turn, was f/k/a Watson Pharmaceuticals, Inc.), Allergan Limited (f/k/a Allergan plc, which in turn, was f/k/a Actavis plc), Allergan Sales, LLC, and Allergan USA, Inc. (collectively, “Allergan” or “Allergan Defendants”) move this Court for leave to file their Motion To Dismiss Claims Filed By Non-Participating New York Subdivisions As Barred By Statute (the “Motion”). A copy of the Motion is attached hereto as Exhibit 1. The Motion seeks dismissal of claims brought by certain New York government entities on the basis that such claims are statutorily barred by New York Mental Hygiene Law § 25.18(d), and in accordance with a statewide settlement agreement reached between Allergan and the New York Attorney General. On June 21, 2022, this Court granted a similar motion to dismiss filed by Settling Distributor Defendants, and on August 9, 2022 this Court granted a similar motion by the Janssen Defendants.

Dated: October 21, 2022

Respectfully submitted,

/s/ Rebecca Fitzpatrick

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Limited, Allergan Sales, LLC, and Allergan
USA, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on October 21, 2022, I caused **MOTION FOR LEAVE TO FILE ALLERGAN DEFENDANTS' MOTION TO DISMISS CLAIMS FILED BY NON-PARTICIPATING NEW YORK SUBDIVISIONS AS BARRED BY STATUTE** to be served on counsel of record via the CM/ECF system.

/s/ Rebecca Fitzpatrick

Rebecca Fitzpatrick